

III. REMARKS

1. Claims 1-7, 9-16 and 18-29 are not unpatentable over Toyryla in view of Focsaneanu et al. ("Focsaneanu") under 35 U.S.C. §103(a).

Claim 1 of Applicant's invention recites that the target telephone number is associated with a "call type". A gateway address of the "gateway associated with the call type" is extracted from the memory of the "calling terminal". This is not disclosed or suggested by the combination of Toyryla in view of Focsaneanu.

As noted by the Examiner, Toyryla does not suggest associating the target number with a **call type**, where the call type is associated with different gateways. Focsaneanu does not overcome this deficiency. Focsaneanu describes a flexible and adaptable multi-service access to different types of networks. Focsaneanu relates to an access network for interfacing customer premise equipment ("CPE") to the communications networks which encompass PSTN data networks, wireless networks, satellite networks, CATV and ATM networks by way of local access to form a universal services network. The access network comprises a CPE (customer premises equipment) connector and an access module. The access module extracts the information content from traffic for services and makes routing decisions based on the extracted information.

Applicant's invention is distinctly different because it provides better utilization of CPE by providing an intelligent connection to multiple types of service and non-service specific transport networks in multiple protocol environments. To do this, there is a need for complicated routing system including the access module and the access controller provided with the efficient processor

and other network elements. The routing is based on the content information of the proposed connection (the target telephone number is associated with a call type, and a gateway address of the "gateway associated with the call type" is extracted from the memory of the "calling terminal"). There is no mention whatsoever in Focsaneanu that the routing could be made based on the target terminal, which defines the call type, as in Applicant's invention.

As recited in claim 1 the gateway address of the gateway associated with the call type is extracted from the memory of the calling terminal. This is not disclosed or suggested by Focsaneanu.

Col. 16, line 59 through Col. 17, line 4 of Focsaneanu relates to a user being able to "dynamically connect to an enterprise network of his choice". The user can "dynamically select" access ISP#1 or ISP#2. The access module makes use of the connection table in the user profile that indicates the "connectivity" of the user access to "specific networks or ISP's". The user and his CPE connector send messages to the access module to "change" the selection of possible connections in the connection table, so that the user can "dynamically" instruct his data traffic to be directed to any network or ISP.

However, what this section of Focsaneanu does not teach is that the target telephone number is associated with a "call type" and that the gateway address of the gateway associated with the "call type" is extracted from the memory of the calling terminal. Rather, it is the user that is making the selection, which is quite different from Applicant's invention.

In the Office Action the Examiner refers to figure 20 of the Focsaneanu and states that this figure teaches that a user is able to dynamically connect to an Internet via gateway for Internet call type or connect to an Enterprises Network via a different gateway than which is used for Internet connection.

However, an important and distinguishing element of Focsaneanu is overlooked in this analysis. In Focsaneanu customer premises equipment is **fixed** and the associated routing system (access network) in which the different types of connections are also **fixed and determined beforehand**. Therefore, it is very simple to select the right connection based on the extracted information of the connection content. This is not the case in Applicant's invention.

Furthermore, Figure 20 of Focsaneanu, together with its explanation on columns 16 and 17 relied on by the examiner, quite clearly show that the way Focsaneanu contacts the different ISP's or other connection points is a user selectable feature not something that is related to the destination terminal because of the telephone number as claimed by Applicant. For example column 16, lines 61-63 state "for Internet in particular, a user can dynamically select access ISP#1 or ISP#2. Still further the same text continues on line 64 that the "access module has a user profile in its storage, the user profile containing a connection table indicating the connectivity of the user access to specific networks or ISPs".

In Figure 17 it can be seen, that the access module is NOT located in the calling terminal, but in the network. Claim 14 of Applicant's invention recites that terminal includes the data processing means that compares the target telephone number and extracts a "call type" from memory.

Since neither Toyryla nor Focsaneanu disclose or suggest this feature, the combination cannot as well. Therefore, at least this feature of claim 1, and similarly claims 14, 22 and 26 should be allowable. Claims 2-13, 15-21 and 23-25 should be allowable at least by reason of their respective dependencies.

Applicant also respectfully disagrees that there is motivation to combine the references as proposed to achieve Applicant's invention. Toyryla teaches establishing telecommunication connections between subscriber stations of first and second telecommunication systems. In the calling subscriber stations, a memory table keeps part of the number that can be dialed by the subscriber station that corresponds to the gateway number. The gateway number is used in the call set-up message and the system is limited to the stored gateway number.

In a different environment, Focsaneanu provides multi-service access to the networks. The local access is configured according to the transmission requirements. However, **the equipment is fixed and the connections are determined by the user beforehand.** This is not the same as Applicant's invention where the target telephone number is associated with the call type and the gateway address of the gateway associated with the call type is extracted from memory. Thus, there is no motivation to combine the references to achieve Applicant's invention and *prima facie* obviousness cannot be established.

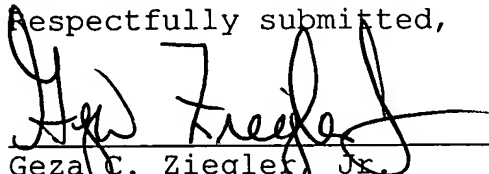
2. Claims 8 and 17 are not unpatentable over Toyryla in view of Focsaneanu in view of Doviak at least by reason of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly

novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$120.00 is enclosed for a one-month extension of time. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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